

ENTERED

August 05, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONJUAN HERNANDEZ, *et al*,

Plaintiffs,

VS.

CITY OF HOUSTON,

Defendant.

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CIVIL ACTION NO. 4:16-cv-03577

ORDER DENYING STAY

The Court, having considered all papers filed in support of, and in opposition to, the City of Houston, Texas's Motion to Stay Proceeding Pending Interlocutory Appeal, DENIES the City's Motion for the following reasons: First, the City is unlikely to succeed on its appeal, if the Fifth Circuit even grants its petition. Second, the costs the City will incur if the action proceeds are largely those which it would incur irrespective of class certification, and any additional costs associated with certification are minimal and do not rise to the level of irreparable harm under Fifth Circuit precedent. Third, Plaintiffs will be substantially harmed by further delay in adjudicating their claims, particularly since significant time has already lapsed since the initiation of this action due to the City's discovery misconduct. Finally, the public interest militates against a stay, as it favors the speedy resolution of disputes. Therefore, the Court finds that a stay is not warranted.

It is so ORDERED.

SIGNED on this 5th day of August, 2019.


Kenneth M. Hoyt
United States District Judge